HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT APPEAL No. 1127 OF 2006

Between:
Mr. Prashant Darshi

..... Appellant

AND

The Sub-Registrar,
Kukatpally & another

.....Respondents

:: J U D G M E N T::

Counsel for the appellant : Shri Eranki Phani Kumar

Dated: 01.11.2006

Per G.S.SINGHVI, CJ

This appeal is directed against order dated 25.09.2006 passed by the learned Single Judge in Writ Petition No.19768 of 2006, whereby he declined the appellant's prayer for quashing notice dated 30.08.2006 issued by Sub-Registrar, Kukatpally and for issue of a direction to the officer concerned to register the sale deed presented by him.

After arguing the case for some time and on being pointed out by the Court that the writ petition filed by his client suffers from the fatal defect of non-impleadment of the objector namely, Shri K. Laxma Reddy, at whose instance the Sub-Registrar issued the impugned notice, learned counsel for the appellant made a request that his client may be permitted to withdraw this appeal along with Writ Petition No.19768 of 2006 with liberty to institute fresh petition for the same relief.

In the peculiar facts and circumstances of the case, we accept the request of the learned counsel and dismiss the writ appeal as also Writ Petition No.19768 of 2006 with liberty to the appellant to file fresh petition on the same cause.

As a sequel to dismissal of the main appeal, W.A.M.P.No.2361 of 2006 filed by the appellant for interim relief is

also dismissed.

G.S.SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

01.11.2006

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